

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
MAYOR'S CONFERENCE ROOM
TUESDAY, NOVEMBER 16, 1999
8:30 A.M.**

Commissioners Present: Kathy Campbell, Chair
Linda Steinman
Bob Workman
Bernie Heier
Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Dave Kroeker, Budget & Fiscal Officer
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, NOVEMBER 2, 1999 AND THURSDAY, NOVEMBER 4, 1999.

MOTION: Heier moved and Workman seconded approval of the Staff Meeting Minutes dated November 2 and November 4, 1999. On call Heier, Steinman, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- a. Signage on 162nd Street
- b. Request from Cornhusker State Games to Rent Space in Trabert Hall
- c. Administration of Payroll for Bailiffs and Child Support Referee
- d. Inclusion of Information on Deferred Compensation Information in the County Newsletter
- e. Health Insurance Update
- f. Letter from Airport Authority (See Correspondence to the County Board)

MOTION: Hudkins moved and Steinman seconded approval of the additions to the agenda. On call Hudkins, Steinman, Campbell, Heier and Workman voted aye. Motion carried.

3 SPECIAL PERMIT NO. 172, WIRELESS COMMUNICATIONS TOWER AT 126TH & WEST HOLDREGE STREET - Mike DeKalb, Planning Department

Mike DeKalb, Planning Department, reported briefly on Special Permit No. 172, a request from NEXTEL Communications, Inc. to construct and operate a 300 foot wireless communications broadcast tower at a location of 126th and West Holdrege Street (Exhibit A). He added that the request meets setback requirements and will include conditions for removal. DeKalb noted that Seward County recently approved a tower application from UNISITE that is located one mile west and one half mile south of this location and in the Capital Environs View Corridor.

In response to a question from Heier, DeKalb stated co-location is preferable, but there are no guarantees that UNISITE will actually construct the tower. He noted, however, that the requested tower will be able to handle equipment for four PCS and one pager.

DeKalb also reported that the applicant has requested daytime white strobe and nighttime red blinking lights, although this is only permitted if specifically required by the Federal Aeronautics Administration (FAA) for safety reasons. Painting of the tower with white and orange paint is also an option.

4 WIRELESS PERSONAL COMMUNICATIONS RESOLUTION - Dave Johnson, Deputy County Attorney; Steve Huggenberger, Assistant City Attorney; Tom Duchen, Telecommunications Consultant

Dave Johnson, Deputy County Attorney, presented the following (Exhibit B):

- * Summary of the proposed personal wireless facilities ordinance
- * A copy of the letter which will be sent to telecommunications providers
- * A list of personal wireless facility application requirements
- * A copy of the proposed Personal Wireless Services Ordinance

Johnson said the proposed Personal Wireless Services Ordinance includes a two tier review system for all wireless applications:

Administrative Permit: The Planning Director may issue an Administrative Permit for facilities co-locating on existing facilities or for camouflaged or rooftop facilities that will have minimal impact on surrounding uses

Special Permit: A Special Permit will be required for all new towers, camouflaged facilities that exceed the zoning district height and all new applications not eligible for an Administrative Permit

Johnson explained that a \$1,000 minimum application fee and a term of 15 years will apply to either method of permit. A pre-application conference to discuss the application requirements, specifics of the site and plans for current and future facilities is also required. An application fee recovering the County's costs and expenses related to review of the application will be established at that time. He noted that additional provisions include third party review, in those instances when the County lacks sufficient technical expertise, and the posting of a \$100,000 surety by the applicant, prior to approval, to insure facility removal.

Tom Duchen, Telecommunications Consultant, added that the industry has been requested to file their comments by November 29th.

Heier said this may be an opportune time to identify "sweet spots", areas deemed most suitable for wireless tower location, within the county.

Campbell agreed, but cautioned that some landowners may resist that designation.

Duchen said there are consultants that specialize in identifying sites, but care should be taken to ensure that the consultant does not have a vested interest in the process. He also emphasized that location of towers on identified sites may not be mandated.

Steve Huggenberger, Assistant City Attorney, noted that telecommunication providers have condemnation powers under LB 496, which changed right-of-way for telecommunications lines and related facilities and eminent domain powers.

5 PHARMACY REQUEST FOR PROPOSALS - Kathy Smith, Assistant Purchasing Agent; Pat Lopez, Lincoln-Lancaster County Health Department; Susan Klein, Nebraska Health & Human Services System

Kathy Smith, Assistant Purchasing Agent, reported that the General Assistance Pharmacy Committee has recommended that the contract for pharmacy and related services for the General Assistance Program be awarded to Wagey Drug Company, Inc. of Lincoln, which currently handles one third of the County's General Assistance business (Exhibit C).

Pat Lopez, Lincoln-Lancaster County Health Department, added that Wagey Drug is willing to adjust staffing levels and customize reports to meet the needs of the program.

NOTE: The Board will take action on this contract at the County Board of Commissioners meeting scheduled this date at 1:30 p.m.

ADDITIONS TO THE AGENDA

- a. Signage on 162nd Street

Workman reported that a constituent had suggested that weight limit signs be placed on 162nd Street to control truck traffic. He suggested that the County Board seek a County Attorney's Opinion on the matter.

Hudkins stated he would oppose such a measure, as it would limit "farm to market" traffic and trucks accessing National Crane Corporation.

Heier remarked that attention should be focused on fixing the road, stating he is troubled by the \$800,000 in unspent road improvement funds last year.

Campbell noted that the Board has scheduled a meeting with the County Engineer in April, 2000 to review traffic counts and determine whether the One and Six Year Road and Bridge Improvement Program fits within budget projections.

Board consensus to request the County Attorney's Office to review the issue of restricting traffic on County roads, rather than to seek a formal opinion.

Heier asked how the Board could raise additional revenue for roads.

Campbell stated this would require a bond issue or a shift from other areas of funding.

Heier asked whether a wheel tax could be implemented for that purpose.

Campbell responded that it could, but it would be split with the other jurisdictions within the County.

The Board requested that Don Thomas, County Engineer, and Dave Kroeker, Budget & Fiscal Officer, appear at the December 2nd County Board Staff Meeting to discuss at what point the decision to move projects up should be made if there are unexpended funds and how to raise additional revenue for roads.

6 ECONOMIC DEVELOPMENT LOAN REQUEST FOR U.S. FOODS - Troy Gagner, Economic Development Coordinator

Troy Gagner, Economic Development Coordinator, briefly reported on a combination job retention/job creation loan request from U.S. Foods, formerly known as Innovative Grain Technologies and Browns Best Foods (Exhibit D). He said the \$500,000 Community Development Block Grant (CDBG) loan, which will be divided equally between the City and County, will allow the company to expand its facility in Airpark and accept an offer to produce and package cereals for U.S. Mills of Boston, Massachusetts over the next five years. Gagner reported that the Gary-Williams Company and the Kelly Bean Company, corporate owners of U.S. Foods, are willing to guarantee these loans. In addition, U.S. Bank will provide a \$500,000 line of credit, noting that the CDBG loans will be subordinate in standing to this loan.

In response to a question from Heier, Gagner stated these cereals will use a variety of grains produced throughout Nebraska.

Heier asked Gagner to seek a guarantee that any corn products utilized in the product will be produced in Nebraska and to also determine the company's position with regards to the issue of Genetically Modified Organisms (GMO).

Heier also commented that the proposal appears to fit with the Governor's value added product concept and suggested that the Nebraska Department of Agriculture may be able to assist with funding.

ADDITIONS TO THE AGENDA

- b. Request from Cornhusker State Games to Rent Space in Trabert Hall

Campbell reported that the City of Lincoln has terminated the Cornhusker State Games Office's lease of space in the Old Federal Building, based on assumption of an imminent move. As a result, their office has inquired about available space in Trabert Hall. Campbell noted that the Public Building Commission will not guarantee a long-term lease, since that building's future has not been determined.

MOTION: Hudkins moved and Workman seconded to approve the request and to direct Don Killeen, County Property Manager, to negotiate terms of the lease. On call Steinman, Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

c. Administration of Payroll for Bailiffs and Child Support Referee

Eagan reported that District Court Judge Flowers has indicated that the District Court Judges would like to assume payroll duties for the Bailiffs and the Child Support Referee from the Clerk of the District Court's Office.

The Board directed Eagan to contact Judge Flowers and seek assurance that this will not necessitate the hiring of additional staff.

Campbell indicated that she will meet with Kelly Moore Guenzel Handlos, Clerk of the District Court, to discuss the issue.

7 FAMILIES FIRST & FOREMOST GRANT PROGRAM CONFERENCE EXPENSES - Denise Bulling, Families First & Foremost Grant Project Deputy Director

Denise Bulling, Families First & Foremost Grant Project Deputy Director, reported that terms of the grant require participation in two Hub Meetings, including representation from the convener and family groups. She noted that the Families First & Foremost Grant Project is required to pay expenses for those participants. Cash advances for child care, ground transportation, parking and meal expenses and a credit card guarantee for lodging expenses are also required. Bulling added that expense accountability will be required.

Campbell noted that lack of financial resources would prevent many of the families from attending if this were not made available.

Heier asked whether direct billing is available.

Bulling said a 17 percent discount is available for airline tickets, if a credit card is used. She also stated that she was required to provide a credit card guarantee for lodging, and had to use her own credit card in making the reservations.

MOTION: Steinman moved and Hudkins seconded to authorize use of the County's credit card and a cash advancement, at the discretion of the Families First & Foremost Grant Project Director and Associate Director.

Board consensus to leave it to Bulling's discretion as to whether she wanted the County to immediately assume the credit card guarantee for lodging expenses or seek later reimbursement, thereby retaining any credit card use benefits.

ON CALL: Steinman, Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

ADDITIONS TO THE AGENDA

- d. Inclusion of Information on Deferred Compensation Information in County Newsletter

Eagan suggested that Bill Thoreson, Benefits Specialist, be requested to write a general article for the County newsletter, explaining the retirement program and listing approved deferred compensation providers and contacts.

The Board approved inclusion of an article in the County newsletter and requested that a discussion on distribution of information and scheduling of employee meetings be scheduled on a Management Team Meeting agenda.

- e. Health Insurance Update

Eagan reported that comments received by employees indicate that changes in health insurance plan design are not desired, even though significant plan changes could reduce the projected increase in premiums.

8 ACTION ITEMS

- a. Microcomputer Request from Juvenile Probation from the Microcomputer Fund
- b. Microcomputer Request C#99305 from Corrections, \$694.25 from the Inmate Benefit Fund for a Computer for Inmates Working on General Equivalency Diploma (GED)

Eagan stated a cost estimate for the microcomputer request from Juvenile Probation has not been received, but the request involves purchase of personal computers, monitors and software for two new Juvenile Probation Officers that are comparable to those approved for others in their office.

MOTION: Steinman moved and Heier seconded approval of both Action Items. On call Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

9 CONSENT ITEMS

- a. Vacation Request from Mike Thurber, Corrections Director, for Wednesday, December 1 through Friday, December 3, 1999

MOTION: Steinman moved and Heier seconded approval of the Consent Item. On call Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

10 ADMINISTRATIVE OFFICER REPORT

a. County Board/City Council Office Renovation

Campbell reported that the low bid for the County Board/City Council restroom remodeling project is \$31,800, noting that re-bidding of the project is unlikely to result in lower bids.

MOTION: Workman moved and Heier seconded approval of the expense. On call Workman, Heier, Hudkins, Steinman and Campbell voted aye. Motion carried.

b. Agenda for Joint Meeting with Douglas and Sarpy County Boards

The Board requested that the agenda be amended to reflect that only a continental breakfast will be served.

The Board also requested that the agenda include discussion of legislative priorities.

c. Surplus Land (Lot 11)

Eagan recommended that sale of the surplus property be delayed until the lot is reconfigured.

MOTION: Heier moved and Hudkins seconded to proceed with an administrative subdivision for reconfiguration of Lot 11. On call Hudkins, Heier, Workman, Steinman and Campbell voted aye. Motion carried.

d. Parking

Campbell said the Parking Committee is still committed to the concept of paid parking underneath the County-City Building and in the parking lots adjacent to the Election Commissioner Building. The Parking Committee will assign parking in those areas, but fees will not be initiated until September, 2000. Members of the City Council and County Board will pay a reduced rate for parking, with those bodies determining whether to pay for this expense out of their budgets. Parking will be an out-of-pocket expense for judges, directors, elected officials, deputies, and others requesting space. Off-site directors will be directed to park in public parking areas when accessing the government complex. She also noted parking arrangements for juries and fleet vehicles.

Campbell reported that the Parking Committee is continuing to review construction costs and a timetable for construction of a two-deck parking garage in the area currently housing the Election Commissioner's Office. The Election Commissioner is developing a list of criteria for relocation, as part of that process, and has indicated that January or February of 2000 would be the most opportune time for the move. Space in a building adjacent to the Motor Vehicle Services facility on 46th & "R" Street is currently under consideration for location of that office. Campbell added it appears that Records and Information Management will be able to meet the delivery service needs of the Jury Commissioner which is located in the Election Commissioner's Office.

Campbell said handicapped employee parking was also reviewed, with a decision to provide four stalls underneath the County-City Building and four stalls on the west side of the building.

Workman asked whether paid parking could be eliminated once debt for the two-deck parking garage is retired.

Campbell agreed to forward Workman's question to the Parking Committee.

e. Workforce Development Council Appointment

Campbell reported that she has requested the inclusion of County Board representation on the Workforce Development Council.

MOTION: Workman moved and Heier seconded to appoint Commissioner Steinman to the Workforce Development Council.

Steinman declined the appointment, due to other commitments.

The maker and seconder withdrew their motion.

MOTION: Workman moved and Hudkins seconded to appoint Commissioner Heier to the Workforce Development Council. On call Workman, Hudkins, Steinman, Heier and Campbell voted aye. Motion carried.

11 DISCUSSION OF BOARD MEMBER MEETINGS

a. Parks & Recreation Advisory Board - Workman

Workman reported that a lighting proposal for the Holmes Lake dog run was defeated.

b. Joint Budget Committee - Campbell, Steinman

Steinman said a presentation was received from Legal Services of Southeast Nebraska. She noted that agency is scheduled to become a state-wide agency after 2000 which may impact their contract with the County. Reports were also received on gambling and from Urban Development and the Funders Group.

Steinman also reported that United Way of Lincoln-Lancaster County plans to categorize funding levels for the following five impact areas:

1. Basic and emergency needs
2. Child care
3. Family violence
4. Prevention
5. Support of case management

c. General Assistance Monitoring Committee - Campbell, Steinman

Campbell reported that a report was received on the Social Security Income (SSI) review process. A quarterly report from Information Services and pharmacy proposals were also received.

d. Public Building Commission - Campbell, Hudkins

Hudkins reported on the following:

- * Purchase of safes for the Sheriff's Department
- * Additional furniture order for the County Attorney's Office
- * A protest registered from Downtown Lincoln Association with regards to the move of the Election Commissioner from the downtown area
- * Action taken to direct Don Killeen, County Property Manager, to develop a Request for Proposals (RFP) for development of all, or a portion, of the Old Federal Building.

e. Visitors Promotion Committee - Steinman

Steinman exhibited a *Meeting Planners Guide*, which provides information about every Lincoln facility.

Steinman also announced that the USA Track and Field Junior Cross-Country event will be held in Pioneers Park in December and the Americruise event has been booked for July 20-23, 2000.

MOTION: Heier moved and Hudkins seconded to authorize a press release, in conjunction with the Lincoln Convention & Visitors Bureau and the Mayor's Office, announcing the Americruise event. No vote was taken.

14 CORRESPONDENCE TO THE COUNTY BOARD

Letter from Airport Authority

MOTION: Hudkins moved and Workman seconded to authorize the Chair to sign a letter supporting retention of air service in Lincoln. On call Hudkins, Workman, Heier, Steinman and Campbell voted aye. Motion carried.

16 AGENDA ITEMS FOR COUNTY BOARD MEETING OF NOVEMBER 16, 1999

- a. Reappointment of Dan Nolte, Register of Deeds, to Sheriff's Merit Commission

17 EMERGENCY ITEMS AND OTHER BUSINESS

Campbell reported that she has been asked to serve on a committee that will review Phase II of the State Fair Park Facilities Study.

18 ADJOURNMENT

At the direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk